

December 9, 2021

Chief Magistrate Judge M. Page Kelley

John Joseph Moakley U.S. Courthouse

1 Courthouse Way, Suite 2300

Boston, Massachusetts 02210

Dear Judge Kelley:

I am a senior correspondent for Kaiser Health News, a national newsroom based in Washington, DC, that produces in-depth journalism about health issues. We are a project of the non-profit Kaiser Family Foundation and our journalism not only appears on our website but also frequently is published in partnership with major newspapers and national radio and television networks.

I have been following the criminal case against SpineFrontier and Dr. Kingsley Chin as part of our reporting on spinal surgery, a multi-billion-dollar industry of significant public interest that often is funded by public health programs such as Medicare. Following the October 6, 2012, hearing on Dr. Chin, I requested a copy

of the transcript from the court reporter listed in the docket item below.

10/06/2021	45	Electronic Clerk's Notes for proceedings held before Magistrate Judge M. Page Kelley: Status Conference as to Kingsley R. Chin held on 10/6/2021 by video. The court hears argument on conditions of release. The court orders defendant to post a bond secured by the Florida residence for \$500,000 within one week. The court will docket a new set of conditions of release after the posting of the bond, altering certain conditions as discussed at the hearing. (Attorneys present: Weinreb, Lazarus.)Court Reporter Name and Contact or digital recording information: Joan Daly at joanmdaly62@gmail.com. (Vieira, Leonardo) (Entered: 10/06/2021)
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The court reporter after some time advised me that the transcript is sealed and cannot be provided without “permission from the judge.” On Dec. 7, 2021, I sent an email to Mr. Leonardo Vieira requesting the transcript and a copy of the sealing order. He responded that he would look into it and get back to me.

Today, I see the order asking the parties to confer on whether any part of the transcript should remain under seal. I am writing to ask that you make public this transcript as requested previously and that our news organization be heard on the issue of its sealing.

Thank you very much for your attention to this matter.

Fred Schulte

Fred Schulte /Senior Correspondent
Kaiser Health News / Washington, DC
FredS@kff.org / [@fredschulte](https://twitter.com/fredschulte) / 202 654 1356



Kaiser Health News (KHN) is a nonprofit news service covering health issues. It is an editorially independent program of the Kaiser Family Foundation, which is not affiliated with Kaiser Permanente.